

the latter ought to be put upon proof of the same; that he had no notice of said Mayo's proceedings, and that he had no right to sell the slave without such notice and an order of court; that said slave hired at the rate of \$60 per annum, and was worth about \$80 a year, and that if the court should sanction this unauthorized and oppressive proceeding, he is entitled to have the proceeds so invested as to preserve for him an equal amount to the value of the hire aforesaid.

The trustee, Mayo, in his answer to this petition, states the grounds of his apprehension in regard to intention of the negro to escape, and that what he did in the premises was done as a matter of duty, and after consultation with his solicitor.

In support of the petition of the trustee, the deposition of J. N. Watkins was taken, who stated that about twelve years since, at the request of Chancellor Bland, he took the said William to the insane hospital near Baltimore; that he was then in such a state of derangement as to render the use of a straight-jacket necessary; that afterwards he returned to the Chancellor's and lived in his house many years, until the latter's death; that since his return from the hospital, deponent has had no opportunity of knowing the condition of his mind. Also the deposition of said Mayo, in which he detailed conversations which he had with the said William in reference to the mode of disposing of his income, and that from these, and all the information he has been able to obtain on the subject, deponent believes the same is not properly applied, but on the contrary wasted and misapplied by the said William.

Upon the hearing of these petitions, the Chancellor delivered the following opinion.]

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THE CHANCELLOR:

The question which arises upon the petition of Captain Isaac Mayo, depends upon the true construction of that part of the will of the late Chancellor Bland, in which provision is made for his son William G. Bland.

The petition alleges, that by proper management, the whole or a greater part of the income and profits of the trust estate